

**REMARKS**

Claims 2, 4, 7, and amended claims 1, 3, 5, 6 and 8 and are in this application.

Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Szczutkowski et al. (U.S. Patent No. 4,817,146).

Amended independent claim 1 recites in part:

“a cipher processing circuit for enciphering the data to be transmitted by one of a number of predetermined cipher modes, **in which one of said predetermined cipher modes is a copy once prohibition mode wherein the data can not be reproduced more than once.**”

(Emphasis added)

It is respectfully submitted that Szczutkowski as applied by the Examiner (hereinafter “Szczutkowski”) does not disclose the above-recited feature of claim 1. Although the system of Szczutkowski shown in FIG. 1 appears to transmit data utilizing a conventional "clear" mode or a cryptographic "private" mode, neither of such modes appears to be a “copy once prohibition mode” specifying particularly that the data can not be reproduced more than once, as in claim 1. Instead, Szczutkowski appears to merely disclose in that in the "clear" mode, input signals are simply directly connected to a transmitter, while in the "private" mode, conventional input signals are first cryptographically encoded before transmitting (see, for example, lines 6-23 of col. 7 cited by the Examiner).

For reasons somewhat similar to those described above with regard to independent claim 1, amended independent claims 3, 5, 6 and 8 are believed to be distinguishable from Szczutkowski.

Claims 2, 4 and 7 depend from one of claims 1, 3, 5, 6 and 8, and, due to such dependency, are also believed to be distinguishable from Szczutkowski for at least the reasons previously described.

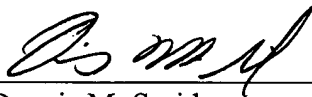
In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable over the prior art, and early and favorable consideration thereof is solicited.

In the event that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where in the reference, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:   
Dennis M. Smid  
Reg. No. 34,930  
(212) 588-0800